

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:16-CR-00224
)	
Plaintiff,)	JUDGE GAUGHAN
)	
vs.)	
)	
RADU MICLAUS, et al.)	<u>DEFENDANT RADU MICLAUS'</u>
)	<u>MOTION FOR EXTENSION OF</u>
Defendants.)	<u>TIME TO RESPOND TO OR</u>
)	<u>FILE OBJECTIONS TO</u>
)	<u>PRESENTENCE INVESTIGATION</u>
)	<u>REPORT</u>
)	

Now comes Defendant Radu Miclaus (the "Defendant"), by and through counsel, and hereby respectfully moves this Court for an extension of time by which to respond to the initial Presentence Investigation Report filed on July 12, 2019 (the "PSI Report"), for the following reasons.

First, a brief review of the PSI indicates that there is a glaring typo on the report. The undersigned has communicated that typo to the PSI Officer, and it is the understanding of the undersigned that a corrected PSI will be issued very shortly.

Second, for some reason, the United States has not provided either the PSI Officer or the undersigned with what the United States will allege is the loss in this case for purposes of sentencing and §2B1.1 of the US Sentencing Guidelines. Without

attempting to cast any aspersions, the undersigned has been requesting the Government's position on loss for a few months, with no response whatsoever to date. The alleged loss amount that the Government intends on asserting at sentencing is a huge factor (if not the largest factor) for the sentencing hearing set for August 23, 2019.

For the foregoing reasons, the Defendant respectfully moves this Court to extend any time to respond to the PSI until at least 2 weeks after (A) the PSI typo is corrected and (2) the Government supplied both the PSI Officer and the undersigned with the Government's position on loss.

Respectfully submitted;

LIPSON O'SHEA LEGAL GROUP

/Michael J. O'Shea

Michael J. O'Shea, Esq. (0039330)

michael@lipsonoshea.com

Hoyt Block Building - Suite 110

700 West St. Clair Avenue

Cleveland, Ohio 44113

(216) 241-0011 - Cleveland office

(440) 356-2700 - Rocky River office

(440-331-5401 - fax

Attorney for the Defendant

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing has been filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic record. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic system.

S/Michael J. O'Shea
Michael J. O'Shea